

PREDETERMINATION SETTLEMENT AGREEMENT

CP# 06-11-61018

HUD# 07-11-0625-8

PARTIES TO THE SETTLEMENT AGREEMENT:

RESPONDENTS

ARLENE ROSE CONSIDINE

&

ROBERT J. CONSIDINE

4221 HWY 136

CLINTON, IOWA 52732

COMPLAINANTS

BENJAMIN PETERSEN

&

EMILY PETERSEN

841 3RD AVENUE SOUTH

CLINTON, IOWA 52732

AND

IOWA CIVIL RIGHTS COMMISSION

400 East 14th Street

Des Moines, Iowa 50319

Description of the Parties: Complainants Benjamin and Emily Petersen claimed Respondent Arlene R. Considine unlawfully made statements to them indicating a limitation or preference regarding sale of a dwelling and refused to sell or negotiate for sale the subject property based on familial status. Respondents Arlene R. Considine and Robert J. Considine are the owners of the subject property, a single family home located at 4221 Highway 136, Clinton, Iowa 52732.

A complaint having been filed by Complainants against Respondents with the Iowa Civil Rights Commission (hereafter referred to as the Commission) under Iowa Code Chapter 216 and there having been a preliminary inquiry, the parties do hereby agree and settle the above-captioned matter in the following extent and manner:

Acknowledgment of Fair Housing Law

1. Respondents agree there shall be no discrimination, harassment, or retaliation of any kind against Complainant or any other person for filing a charge under Iowa Code Chapter 216; or because of giving testimony or assistance, or participating in any manner in any investigation, proceeding or hearing under Iowa Code Chapter 216; or because of lawful opposition to any practice forbidden under Iowa Code Chapter 216.

2. Respondents acknowledge Federal and State Fair Housing Laws make it unlawful to make, print, or publish any notice, statement, or advertisement with respect to the sale of a dwelling that indicates any preference, limitation, or discrimination based on familial status (the presence of children under the age of 18 in the household), or an intention to make any such preference, limitation, or discrimination. See Iowa Code § 216.8(1)(c) (2011); 42 U.S.C. § 3604(c) (2011).

3. Respondents acknowledge Federal and State Fair Housing Laws make it unlawful to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable, or deny a dwelling to any person because of familial status. See Iowa Code § 216.8(1)(a) (2011); U.S.C. § 3604(a) (2011).

Voluntary and Full Settlement

4. The parties acknowledge this Predetermination Settlement Agreement is a voluntary and full settlement of the disputed complaint. The parties affirm they have read and fully understand the terms set forth herein. No party has been coerced, intimidated, threatened or in any way forced to become a party to this Agreement.

5. The parties enter into this Agreement in a good faith effort to amicably resolve existing disputes. The execution of this Agreement is not an admission of any wrongdoing or violation of law. Nor is the execution of this Agreement an admission by Complainants that any claims asserted in her complaint are not fully meritorious.

6. The parties agree the execution of this Agreement may be accomplished by separate counterpart executions of this Agreement. The parties agree the original executed signature pages will be attached to the body of this Agreement to constitute one document.

7. Respondents agree the Commission may review compliance with this Agreement. And as part of such review, Respondents agree the Commission may examine witnesses, collect documents, or require written reports, all of which will be conducted in a reasonable manner by the Commission.

Disclosure

8. The parties agree the terms of this Agreement shall be subject to public disclosure unless Complainants and Respondents agree otherwise, and the Commission determines that disclosure is not necessary to further the purposes of Iowa Code Chapter 216 relating to unfair or discriminatory practices in housing or real estate.

Release

9. Complainants hereby waive, release, and covenant not to sue Respondents with respect to any matters which were, or might have been alleged as charges filed with the Iowa Civil Rights Commission, the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, or any other anti-discrimination agency, and with regard to any and all other matters, subject to performance by Respondents of the promises and representations contained herein. Complainants agree any complaint filed with any other anti-discrimination agency, including the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, which involves the issues in this complaint, shall be closed as Satisfactorily Adjusted.

Fair Housing Training

10. Respondents agree Arlene Considine will receive training on the requirements of State and Federal Fair Housing Laws within 90 days of their receipt of a Closing Letter from the Commission. The training will address all aspects of fair housing law, but will emphasize the law regarding discriminatory statements, notices, or advertisements and the law regarding refusal to sell based on protected categories. The training shall be conducted by a qualified person, approved by the Commission or the U.S. Department of Housing and Urban Development.

Respondents also agree to send documentation to the Commission, verifying the fair housing training has been completed, to the attention of Don Grove, Supervisor of Investigations, within ten (10) days of completing the training

Relief for Complainants

11. Respondents agree to pay Benjamin and Emily Petersen \$4,200.00, less no deductions. Respondents agree to make the check out to Benjamin and Emily Petersen, and send the check to

Complainants at 841 3rd Avenue South, Clinton, Iowa 52732, within seven (7) days of Respondents' receipt of a Closing Letter from the Commission. Respondents also agree to send a copy of the check to the

Commission, to the attention of Don Grove, Supervisor of Investigations, within seven (7) days of Respondents' receipt of a Closing Letter from the Commission.

Signatures on Following Page (Page 4)

Arlene Rose Considine, RESPONDENT	Date
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Robert J. Considine, RESPONDENT	Date
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Benjamin Petersen, COMPLAINANT	Date
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Emily Petersen, COMPLAINANT	Date
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Beth Townsend, DIRECTOR	Date
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IOWA CIVIL RIGHTS COMMISSION